## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

-----X TRUSTEES of the SHEET METAL WORKERS' LOCAL UNION NO. 28 FUNDS and PLANS, individually named herein as SHEET METAL WORKERS': Civil Case No.: 20-cv-10480 LOCAL UNION NO. 28 VACATION FUND, SHEET (JPC) METAL WORKERS' LOCAL UNION NO. 28 WELFARE: FUND, SHEET METAL WORKERS' LOCAL UNION NO. 28 SUPPLEMENTAL UNEMPLOYMENT FUND, SHEET METAL WORKERS' LOCAL UNION NO. 28 ANNUITY FUND, SHEET METAL WORKERS' LOCAL **DEFAULT JUDGMENT** UNION NO. 28 PENSION FUND, SHEET METAL WORKERS' LOCAL UNION NO. 28 JOINT LABOR MANAGEMENT FUND, SHEET METAL WORKERS' LOCAL UNION NO. 28 EDUCATION FUND, SHEET METAL WORKERS' LOCAL UNION NO. 28 SCHOLARSHIP FUND, SHEET METAL WORKERS' LOCAL UNION NO. 28 ASSESSMENTS FUND, SHEET METAL WORKERS' LOCAL UNION NO. 28 POLITICAL ACTION FUND, SHEET METAL WORKERS' LOCAL UNION NO. 28 BUILDING FUND, and INTERNATIONAL ASSOCIATION OF SHEET METAL, AIR, RAIL AND TRANSPORTATION WORKERS' LOCAL UNION NO. 28, AFL-CIO, Plaintiffs, -against-FAHRENHEIT MECHANICAL LLC, Defendant.

This action was commenced on December 11, 2020 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint were personally served on the defendant, FAHRENHEIT MECHANICAL LLC, on December 18, 2020 by personal service on defendant's Authorized Agent, and a proof of service was filed on December 22, 2020. The action was amended on April 23, 2021 with the filing of the Amended Complaint, and a copy of the Summons and Amended Complaint were personally served on the defendant on April 27, 2021 by personal

service on defendant's Authorized Agent, and a proof of service was filed on April 3, 2021, and the defendant did not answer the Amended Complaint, and the time for answering having expired, it is

**ORDERED, ADJUDGED AND DECREED**: That the plaintiffs have a judgment against defendant in the form of:

- the delinquent contributions amounting to \$49,835.89 for the period from April 2018 through October 2019;
- 2. interest on delinquent contributions in the minimum amount of \$20,358.21, calculated at a rate of the prime rate plus twelve percent (12%) with a minimum of fifteen percent (15%) per year following a five (5) day grace period;
- 3. \$9,967.18 in liquidated damages of twenty percent (20%) on unpaid contributions;
- 4. Attorney's fees in the amount of \$17,553.50 pursuant to 29 U.S.C. \$1132(g)(2)(D);
- 5. Court costs and disbursements in the amount of \$857.85;
- 6. \$58,552.69 in delinquent contributions for the period from July 9, 2020 to September 2, 2020;
- 7. \$596.12 in delinquent light commercial contributions for November 2020;
- 8. \$590.72 in delinquent contributions for the period from week ending September 17, 2020 to week ending September 23, 2020;

- 9. \$2,526.91 in interest on delinquent contributions for the period from July 9, 2020 to September 2, 2020;
- 10. \$590.72 in interest on delinquent contributions for the period from week ending September 17, 2020 to week ending September 23, 2020;
- 11. \$3,831.10 in contributions that are due and owing for the period from June 2020 to September 2, 2020;
- \$156.14 in interest on the contributions due under based on the production-light commercial reports for the period from June 2020 to September 2020;
- 13. \$4,693.56 in interest on late payments made on contributions for the period of week ending October 3, 2018 through June 26, 2019;
- 14. \$110.33 is interest on the late payment of production-light commercial fringe benefits due for the period of February 2020 to March 2020;
- 15. \$2,680.71 in interest on late payments made on delinquent contributions for the period of January 8, 2020 to July 15, 2020;
- \$8,899.52 in delinquent contributions for the period from November 12,2020 to December 9, 2020;
- 17. \$17,000.00 in contributions for the period from December 10, 2020 to April 7, 2021;
- 18. Ordering FAHRENHEIT MECHANICAL LLC, to pay the FUNDS to submit light commercial remittance reports for December 2020 through

		March 2021 and to pay an estimated \$2,400.00 in contributions for
		December 2020 through March 2021; and
	19.	Such other relief as may be just and proper.
Dated:	New	November 30 , 2021 York, New York
		The Com
		Hon John P Cronan

U.S. District Judge